Remarks

A.   Claims in the Case

Claims 1-39 are pending. Claims 7, 8, 11, 15, 16, 20, 21, 24, 28, 32, 33, and 37 have been amended for correction of typographical errors.

B.   The Claims Are Not Anticipated By Kanai Pursuant To 35 U.S.C. §102(b)

Claims 1-3, 14-17, and 27-30 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,864,679 to Kanai et al. (hereinafter "Kanai"). Applicant respectfully disagrees with these rejections.

The standard for "anticipation" is one of fairly strict identity. To anticipate a claim of a patent, a single prior source must contain all the claimed essential elements. *Hybritech, Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 231 U.S.P.Q.81, 91 (Fed. Cir. 1986); *In re Donahue*, 766 F.2d 531,226 U.S.P.Q. 619,621 (Fed. Cir. 1985).

Claims 1, 14, and 27 describe a combination of features including:

> storing a first smart trigger in a first memory of the FSO computer system, wherein the first smart trigger comprises a first identifier that identifies the first FSO related processing task and a first data set identifier that identifies the first FSO related data set;
> reading the first smart trigger from the first memory; and
> executing the first FSO related processing task and processing first data contained in the first FSO related data set in response to reading the first smart trigger from the first memory.

The Office Action states: "Kanai teaches...storing a first smart trigger in a first memory of the FSO computer system (col. 2, lines 26-43, col. 13, lines 1-10, col. 21, lines 1-8 and lines 23-32, abstract...), wherein the first smart trigger comprises a first identifier that identifies the first FSO related processing task and a first data set identifier that identifies the first FSO related data set; reading the first smart trigger from the first memory (col. 2, lines 45-51) and executing the first FSO related processing task and processing first data contained in the first FSO related

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data set in response to reading the first smart trigger from the first memory (col. 14, lines 17-30)."

Col. 2, lines 26-43 of Kanai do not appear to teach or suggest above-quoted features of claims 1, 14, and 27 relating to smart triggers.

Kanai states:

> Then, the data arrangement determination unit obtains the optimum data arrangements by considering what arrangement of the data can make the loads on the transaction processors balanced and the cost required for processing each transaction can be lowered, according to the statistical information acquired from the data management units. The scheme for determining the data arrangement can be provided by the data arrangement scheme described in detail below as the third embodiment of the present invention.
> (Kanai, col. 13, lines 1-10)

Col. 13, lines 1-10 of Kanai does not appear to teach or suggest above-quoted features of claims 1, 14, and 27 relating to smart triggers. Furthermore, col. 21, lines 1-8 and lines 23-32 of Kanai do not appear to teach or suggest above-quoted features of claims 1, 14, and 27 relating to smart triggers. Likewise, the abstract of Kanai does not appear to teach or suggest above-quoted features of claims 1, 14, and 27 relating to smart triggers.

The Office Action refers to col. 2, lines 45-51 of Kanai as "reading the first smart trigger from the first memory". Col. 2, lines 45-51 of Kanai does not appear to teach or suggest above-quoted features of claims 1, 14, and 27 relating to smart triggers.

Applicant respectfully requests removal of the rejections of claims 1, 14, and 27.

Claim 17 describes a combination of features including: "wherein the program instructions are further executable by the computer system to implement: processing the first smart trigger to generate a first processed smart trigger."

The Office Action states: "Claim 17. Kanai further teaches, a computer program (col. 12,

lines 21-42 and fig. 4); an FSO computer system comprising a plurality of FSO related data sets

including a first FSO related data set, and comprising a plurality of computer executable FSO

related processing tasks including a first FSO related processing task (col. 12, lines 42-59); and

wherein the computer program is executable on the computer system (col. 12, lines 10-20)."

Kanai states:

> In this transaction routing scheme, the optimum transaction processor is selected according to the past processing history, so that this is the probabilistic approach which does not necessarily guarantee the selection of the truly optimum transaction processor. Here, however, the system of FIG. 3 has a configuration in which all the data are transparently accessible from any application program on any transaction processor, so that the use of the probabilistic transaction routing scheme does not cause the failure to process each transaction even when the routed transaction processor is not truly optimum one.
>
> In a case it is possible to select the optimum transaction processor by the deterministic algorithm according to which data is present in which data memory device of which transaction processor, it is also possible to implement such a deterministic algorithm as a program in the transaction routing unit.
>
> The transaction routed to the transaction processor is then processed by the application program provided on this transaction processor. Here, because the system of FIG. 3 has a configuration in which all the data are transparently accessible from any application program on any transaction processor, the same application program may be provided in all the transaction processors. Consequently, it is possible in this first embodiment to realize the parallel processing while utilizing the application programs developed on the conventional single processor transaction processing system without any change.
>
> The data management unit receives the data operation request for the data required in executing the application program from the application program, and carries out the requested data operation. Here, when the operation target data is not present on the data memory device connected to the transaction processor of this data management unit, the data management unit request the data operation to the data management unit of the transaction processor which has the relevant data. On the other hand, when the operation data is present on the data memory device connected to the transaction processor of this data management unit, the data operation is carried out locally. In this data operation, the operation target data is usually specified by the key. Consequently, by providing a table recording which transaction processor has each data when the value of the specified key is within which range, it is possible to judge whether the data operation is to be carried out locally or to be requested to the data management unit of the other transaction

processor. Here, the scheme for carrying out the data operation can be provided by the known data access scheme.
(Kanai, col. 12, lines 10-59)

The above-quoted sections of Kanai do not appear to teach or suggest at least the above-quoted features of claim 17 in combination with other features of the claim. Applicant respectfully requests removal of the rejection of claim 17.

Claims 2, 15, and 28 describe a combination of features including: "wherein storing the first smart trigger in the first memory is performed by an application program executing in the FSO computer system."

The Office Action states: "Claims 2, 15, and 28. The method of claim 1, wherein storing the first smart trigger in the first memory is performed by an application program executing in the FSO computer system (col. 1, lines 39-50)."

Kanai states:

> This transaction routing unit 4' is connected with a number of transaction sources 1'-1 to 1'-n through a communication path 2' such that the transactions received from the transaction sources 1'-1 to 1'-n through the communication path 2' are routed through the coupling device 5' to the transaction processors 6'-1 to 6'-m distributedly.
> In a case of the data non-sharing type configuration of FIG. 1, the transaction processors 6'-1 to 6'-m are associated with local data memory units 9'-1 to 9'-m, respectively, in which the data for each transaction processor 6' are separately stored in each local data memory unit 9' so that the data management unit 8' of each transaction processor 6' can make accesses only to the data in the corresponding data memory unit 9' connected with the transaction processor 6'.
> (Kanai, col. 1, lines 39-52)

Kanai does not appear to teach or suggest at least the above-quoted features of claims 2, 15, and 28 in combination with other features of the claims. Applicant respectfully requests removal of the rejection of claims 2, 15, and 28.

Claims 3, 16, and 29 describe a combination of features including: "wherein storing the first smart trigger in the first memory is performed by a user of the FSO computer system."

The Office Action states: "Claims 3, 16, and 29. The method of claim 1, wherein storing the first smart trigger in the first memory is performed by a user of the FSO computer system (col. 13, lines 20-31)."

Kanai states:

> The timings for the data arrangement determination unit to carry out the rearrangement of the data by determining the optimum data arrangement can be any one of the timings specified to the data arrangement determination unit by the operator, or prescribed timings with prescribed intervals, or the timings at which the prescribed amount of the statistical information are acquired, or the timings at which the bias in the number of data accesses made by the transaction processors becomes recognizable from the statistical information, or the timings at which the bias in the load information for the transaction processors arises, or the timings specified by the transaction routing unit when the bias in the routed transaction processors arises.
> (Kanai, col. 13, lines 19-31)

Kanai does not appear to teach or suggest at least the above-quoted features of claims 3, 16, and 29 in combination with other features of the claims. Applicant respectfully requests removal of the rejection of claims 3, 16, and 29.

C. The Claims Are Not Obvious Over Kanai In View Of Sziklai Pursuant To 35 U.S.C. §102(b)

Claims 4-9, 17-22, and 30-35 were rejected under 35 U.S.C. §102(b) as being unpatentable over Kanai in view of U.S. Patent No. 6,341,287 to Sziklai et al. (hereinafter "Sziklai"). Applicant respectfully disagrees with these rejections.

In order to reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A. 1967). To establish *prima facie* obviousness of a claimed invention, all the claim

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limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP §2143.03.

The Office Action states: "Claims 4, 17, and 30. Kanai teaches, The method of claim 1, further comprising processing the first smart trigger to generate a first processed smart trigger (col. 13, lines 39-60)."

Claims 4, 17, and 30 describe a combination of features including: "processing the first smart trigger to generate a first processed smart trigger." The cited art does not appear to teach or suggest at least the above-quoted features of claims 4, 17, and 30. Applicant respectfully requests removal of the rejections of claims 4, 17, and 30.

The Office Action states: "Claims 5, 18, and 31. Kanai teach, The method of claim 4, wherein the first smart trigger stored in the first memory further comprises a first scheduled date, wherein the first smart trigger is processed on or before the first scheduled date (col. 13, lines 19-32, col. 14, lines 12-30, and fig. 1(9'-1)."

Claims 5, 18, and 31 describe a combination of features including: "wherein the first smart trigger stored in the first memory further comprises a first scheduled date, wherein the first smart trigger is processed on or before the first scheduled date." The cited art does not appear to teach or suggest at least the above-quoted features of claims 5, 18, and 31 in combination with other features of the claims. Applicant respectfully requests removal of the rejections of claims 5, 18, and 31.

The Office Action states: "Claims 6, 19, and 32. Kanai teaches, The method of claim 4, wherein processing the first smart trigger comprises deleting the first identifier from the first smart trigger (col. 32, line 47-col. 33, line 4, col. 34, lines 9-18, and col. 41, lines 52-65)."

Claims 6, 19, and 32 describe a combination of features including: "wherein processing the first smart trigger comprises deleting the first identifier from the first smart trigger." The cited art does not appear to teach or suggest at least the above-quoted features of claims 6, 19,

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and 32 in combination with other features of the claims. Applicant respectfully requests removal of the rejections of claims 6, 19, and 32.

The Office Action states: "Claims 7, 20, and 33. Kanai teaches, The method of claim 6, wherein first smart trigger stored in the first memory further comprises a first scheduled date, wherein the first scheduled date defines a date for processing the first smart trigger (col. 35, lines 2-20)."

Claims 7, 20, and 33 describe a combination of features including: "wherein first smart trigger stored in the first memory further comprises a first scheduled date, wherein the first scheduled date defines a date for processing the first smart trigger." The cited art does not appear to teach or suggest at least the above-quoted features of claims 7, 20, and 33 in combination with other features of the claims. Applicant respectfully requests removal of the rejections of claims 7, 20, and 33.

The Office Action states: "Claims 8, 21, and 34. Kanai teaches, The method of claim 5, wherein the FSO computer system comprises a current date, and wherein the method further comprises: comparing the scheduled date of the smart trigger to the current date 9 col. 37, lines 50-63); executing the first processing task and processing the first data contained in the first FSO related data set in response to the scheduled date being on or before the current date, and (col. 50, line 61-col. 51, line 38); not executing the first processing task in response to the scheduled date being after the current date (col. 54, lines 29-44)."

Claims 8, 21, and 34 describe a combination of features including:
> comparing the scheduled date of the smart trigger to the current date;
> executing the first processing task and processing the first data contained in the first FSO related data set in response to the scheduled date being on or before the current date; and
> not executing the first processing task in response to the scheduled date being after the current date.

The cited art does not appear to teach or suggest at least the above-quoted features of claims 8, 21, and 34 in combination with other features of the claims. Applicant respectfully requests

removal of the rejections of claims 8, 21, and 34.

The Office Action states: "Claims 9, 22, and 35....Sziklai teaches, c) reading an Xth smart trigger from the smart trigger table (col. 13, lines 48-56); d) comparing an Xth scheduled date of the Xth smart trigger to the current date (col. 18, lines 24-29) and col. 19, lines 1-7); e) executing an Xth processing task and processing Xth data containing and Xth data set in response to the Xth scheduled date of the Xth smart trigger being on or before the current date (col. 19, lines 24-36 and lines 44-56); f) not executing the Xth processing task in response to the Xth scheduled date of the Xth smart trigger being after the current date (col. 20, lines 17-20 and lines 26-36); and g) repeating b) through f) until X equals N (col. 13, lines 48-56, col. 18, lines 24-29, and col. 19, lines 1-56)."

Sziklai states:

> WorkCalendar provides an integrated calendar view, by day, week, month, calendar quarter, calendar half or year, of all tasks in a work flow activity, of a work flow activity in a graphical format. Calendar information can be viewed on-line, printed or transmitted by e-mail and facsimile.
> (Sziklai, col. 18, lines 24-29)

Claims 9, 22, and 35 describe a combination of features including:

a) setting a counter X to one;
b) incrementing X by one;
c) reading an Xth smart trigger from the smart trigger table;
d) comparing an Xth scheduled date of the Xth smart trigger to the current date;
e) executing an Xth processing task and processing Xth data contained in an Xth data set in response to the Xth scheduled date of the Xth smart trigger being on or before the current date;
f) not executing the Xth processing task in response to the Xth scheduled date of the Xth smart trigger being after the current date; and
g) repeating b) through f) until X equals N.

The cited art does not appear to teach or suggest at least the above-quoted feature of comparing an Xth scheduled date of the Xth smart trigger to the current date, along with other

features of the claims. Applicant respectfully requests removal of the rejections of claims 9, 22, and 35.

D. **The Claims Are Not Obvious Over Kanai In View Of Sziklai And Further In View of Zaiken Pursuant To 35 U.S.C. §102(b)**

Claims 10-13, 23-26, and 36-39 were rejected under 35 U.S.C. §102(b) as being unpatentable over Kanai in view of Sziklai and further in view of U.S. Patent No. 5,907,848 to Zaiken et al. (hereinafter "Zaiken"). Applicant respectfully disagrees with these rejections.

The Office Action states: "Claims 10, 23, and 36.... Zaiken teaches, wherein the first smart trigger comprises one or more data fields, wherein data in the one or more data fields is passed to the first FSO related processing task in response to reading the smart trigger (col. 7, lines 10-25)."

Claims 10, 23, and 36 describe a combination of features including: "wherein the first smart trigger comprises one or more data fields, wherein data in the one or more data fields is passed to the first FSO related processing task in response to reading the smart trigger." The cited art does not appear to teach or suggest at least the above-quoted features of claims 10, 23, and 36 relating to smart triggers in combination with other features of the claims. Applicant respectfully requests removal of the rejections of claims 10, 23, and 36.

The Office Action states: "Claims 11, 24, and 37. Kanai teaches, The method of claim 1, wherein the first FSO related data set comprises to [*sic; a*] customer account record containing data relating to a customer of the FSO, wherein the first data identifier assigned to the first FSO related data set comprises a customer account number corresponding to the customer account record (col. 15, lines 8-62, Figure 8, fig. 9, and fig. 10)."

Claims 11, 24, and 37 describe a combination of features including: "wherein the first FSO related data set comprises a customer account record containing data relating to a customer of the FSO, wherein the first data identifier assigned to the first FSO related data set comprises a

customer account number corresponding to the customer account record." The cited art does not appear to teach or suggest at least the above-quoted features of claims 11, 24, and 37 in combination with other features of the claims. Applicant respectfully requests removal of the rejections of claims 11, 24, and 37.

The Office Action states: "Claims 12, 25, and 38. Kanai teaches, The method of claim 7, wherein the FSO computer system further comprises a smart trigger, wherein the smart trigger processing task is configurable to be executed periodically, wherein the scheduling of the period of execution is configurable by a user of the FSO computer system (col. 13, lines 20-31)."

Claims 12, 25, and 38 describe a combination of features including: "wherein the FSO computer system further comprises a smart trigger processing task for processing the first smart trigger, wherein the smart trigger processing task is configurable to be executed periodically, wherein the scheduling of the period of execution is configurable by a user of the FSO computer system." The cited art does not appear to teach or suggest at least the above-quoted features of claims 12, 25, and 38 in combination with other features of the claims. Applicant respectfully requests removal of the rejection of claims 12, 25, and 38.

The Office Action states: "Claims 13, 26, and 39. Kanai teaches, The method of claim 6, wherein the method further comprises deleting the first processing task identifier in response to executing the first processing task (col. 15, lines 46-62 and col. 19, lines 38-55)."

Claims 13, 26, and 39 describe a combination of features including: "deleting the first processing task identifier in response to executing the first processing task." The cited art does not appear to teach or suggest at least the above-quoted features of claims 13, 26, and 39 along with other features of the claims. Applicant respectfully requests removal of the rejections of claims 13, 26, and 39.
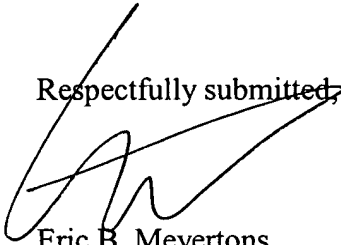
E.   **Additional Comments**

Applicant respectfully submits that all claims are in condition for allowance. Favorable

reconsideration is respectfully requested.

Applicant believes no fees are due with the filing of this document. If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are required, please appropriately charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5053-31001/EBM.

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